



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3009589

Applicant Name: Raymond Gamo, Stricker, Cato, Murphy Architects, P.S.

Address of Proposal: 2656 42nd Avenue SW

SUMMARY OF PROPOSED ACTION

Land Use Application to change the use of a landmark structure (Sixth Church of Christ Scientists) to a Theaters and spectator sports use facility. No change to parking.

The following approvals are required:

Administrative Conditional Use – General provisions and landmark structures.
(Seattle Municipal Code Chapter 23.45.116 and 23.45.124)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Vicinity Description

The Sixth Church of Christ, Scientist, Seattle, is located within Seattle's Admiral Neighborhood, the northeastern portion of West Seattle. The subject property is zoned Lowrise 3 (L3) zone. It is located on the northeastern corner of the intersection of SW Lander Street and 42nd Avenue SW. Hiawatha Playfield is directly across SW Lander Street to the south. There is a single family (SF



5000) residential zone on all sides of the subject property. Admiral Way SW, an arterial, is located one block to the north of the property, and a commercial district is centered one block to the northeast at the intersection of SW Admiral Way and California Avenue SW. There is a 20-foot wide, paved alley in this block.

Site Description

The subject site is relatively flat, sloping down slightly to the north along its western property line. The site is rectangular, measuring 115 feet east/west along SW Lander Street and 84.22 feet north/south along 42nd Avenue SW. There are sidewalks, curbs, gutters and a planting strip along SW Lander and 42nd Avenue SW. The rectangular building, measuring approximately 93 feet east/west and approximately 50 feet north/south, is situated so that the rear of the building is located on the eastern property line abutting the alley. The northern side of the building is located approximately 15 feet from the northern property line, the western side approximately 22 feet from the western property line, and the southern side approximately 17 feet from the southern property line. The building's primary entry is located off of 42nd Avenue SW on the site's western side. This entry is accessed by way of a broad set stairs leading upward from 42nd Avenue SW and by a ramp leading from Lander Street SW, both leading to a 16-foot deep concrete patio accessing the three pairs of French entry doors.

Proposal Description

The applicant is proposing to change the use from religious institution to theater and spectator sports in a landmark structure. The use is intended to be a facility for rent for a variety of public gatherings. The theater and spectator sports use category is somewhat broad and includes, but is not limited to uses such as lecture and meeting hall, motion picture theater, performing arts theater and spectator sports facility. No parking on site is existing, or proposed.

Public Comment

Two comment letters were received during the official public comment period, which ended September 9, 2009. One letter was in support of the change of use to help preserve the building. The other letter pointed out that the events venue use comes with impacts like noise to the neighboring residences and loading and unloading which at times blocks the adjoining alley.

The City of Seattle Land Use Code has General Provisions for Principal Conditional Uses (SMC 23.45.116) and a Conditional Use review of landmark structures (SMC 23.45.124).

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE (SMC 23.45.116 and SMC 23.45.124)

SMC 23.45.116 Administrative conditional uses – General provisions.

- A. *Only those uses identified in this subchapter as conditional uses may be authorized as conditional uses in multifamily zones. The master use permit process shall be used to authorize these uses.*

Landmark structures are identified in this subchapter as a conditional use. The subject property is a landmark property.

- B. Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright in Subchapter I.*

The existing landmark building will not be removed and any nonconformities as to development standards will remain.

- C. The Director may approve, condition or deny a conditional use. The Director's decision shall be based on a determination whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

See the discussion and analysis below in section SMC 23.45.124, landmark structures.

- D. In authorizing a conditional use, the Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest.*

The venue is requesting a change of use from religious facility to theater and sports facility use. The use would essentially be for an event venue. The City of Seattle Noise Ordinance Chapter 25.08 Noise Control limits the times of day, types of noise and noise volume, all of which apply to this property. In addition it would seem reasonable in order to further protect other properties in the vicinity that the windows along the neighboring residential property be closed during events to limit noise intrusion and will be a condition of this permit.

- E. The Director shall issue written findings of fact and conclusions to support the Director's decision.*
- F. Any authorized conditional use which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit. The following shall constitute conclusive evidence that the conditional use has been discontinued:*
- 1. A permit to change the use of the property has been issued and the new use has been established; or*
 - 2. The property has not been devoted to the authorized conditional use for more than twenty-four (24) consecutive months.*

Property which is vacant, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use. A conditional use in a multifamily structure or a multi-tenant commercial structure shall not be considered as discontinued unless all units are either vacant or devoted to another use.

The proposal is for a change of use to theater and spectator sports use. The religious facilities use has been discontinued.

Use of Landmark Structures SMC 23.45.124

A. *The Director may authorize a use not otherwise permitted in the zone within a structure designated as a landmark pursuant to the Seattle Municipal Code. Chapter 25.12, Landmark Preservation Ordinance, subject to the following development standards:*

1. *The use shall be compatible with the existing design and/or construction of the structure without significant alterations; and*

No structural changes are proposed under this permit application. An outdoor stairway is proposed to supply emergency egress, but it is not a structural change.

2. *The use shall be allowed only when it is demonstrated that uses permitted in the zone are impractical because of structure design and/or that no permitted use can provide adequate financial support necessary to sustain the structure in a reasonably good physical condition; and*

The applicant has noted that the church congregation has moved to another site and the building therefore was sold. No other church congregation purchased the building. Residential uses are designated for the Residential Lowrise 3 zone and because of the structure design it is impracticable to imagine a multifamily use in this structure.

The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred feet (600') or more from any lot line of any other institution in a residential zone, with certain exceptions.

The project proposal is not for a proposed new or expanding institution.

3. *The use shall not be detrimental to other properties in the zone or vicinity or to the public interest.*

The building will be dedicated to a theater and spectator sports use and will primarily serve people who come to a wedding, musical event, meeting, exhibition, class, recital, auction, etc. The use as presented in project documents will not be detrimental to other properties in the zone or vicinity or the public interest.

B. *The parking requirements for a use allowed in a landmark are those listed in Chart A of Section 23.54.015. These requirements may be waived pursuant to Section 23.54.020 C.*

A review of the parking utilization data and estimates of event parking demand indicate that, under the described conditions, sufficient on-street parking will exist to accommodate attendees at Sanctuary events.

More specifically, the parking utilization data show that, on weekday evenings, approximately 45.6% of the on-street spaces within 800' of the project site are occupied. During the day on

Saturdays, approximately 42.9% of these spaces are occupied. (A total of 240 spaces were identified on both weekdays and Saturdays.) The maximum attendance for any event is stated to be about 150; this would produce about 90 vehicles, accounting for carpooling and perhaps some use of transit, walking, etc. An additional 90 vehicles would produce a parking utilization rate of 83% on weekday evenings and 80% on Saturdays. The specific events with the greatest attendance are weddings and auctions, which are expected to generate about 60 vehicles (100 attendees). This would increase the weekday evening on-street utilization rate to about 71%, and the Saturday on-street rate to about 68%. Each of these scenarios will leave adequate on-street parking for other uses, and is not expected to have noticeable parking impacts.

The current project has one parking space which will be devoted to trash and recycling containers, and this urban site does not have additional room to create a parking lot. Pursuant to Section 23.54.020 C parking requirements may be waived. Results of the parking analysis show that there is sufficient parking within 800 feet of the site including parking at a nearby private parking lot, transit availability in the area, and on street parking. Thus parking requirements will be waived for this landmark building.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The conditional use application is **CONDITIONALLY GRANTED**.

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE

For the Life of the Project

1. The windows along the north property line at the neighboring residential property are closed during events to limit noise intrusion.

Signature: _____ (signature on file) Date: April 26, 2010
Holly J. Godard, Land Use Planner
Department of Planning and Development

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